

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6408 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgement?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

EXECUTIVE ENGINEER (R&B)

Versus

SALAMBHAI BHAVABHAI PARMAR

Appearance:

MR MUKESH R SHAH for Petitioners No. 1-2

MR DIPAK R DAVE for the Respondent.

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 11/10/2001

ORAL JUDGEMENT

At the time of hearing of this Special Civil Application, Mr.M.R. Shah, learned Advocate for the petitioners, states that whatever amount, which was required to be given to the concerned workman, has already been given by the Department as per the Resolution dated 17.10.1988. He submitted that the said

amount has been paid after the impugned order and during the pendency of this petition. According to Mr.Shah, the concerned workman has also accepted that amount and he has already retired from Service. Mr.Shah, therefore, states that now, nothing further is required to be done in the petition, as whatever amount, which was required to be given to the concerned workman, as per the Resolution, is already paid and, therefore, now, it is not necessary for the petitioners to comply with the order passed by the Labour Court. He states that even the concerned workman has accepted the said amount and, therefore, it is presumed that his claims are satisfied. Learned counsel for the respondent states that in spite of best efforts, he could not contact his client and the client is also not contacting the concerned Advocate. However, in view of the aforesaid statement of Mr.Shah, at this stage, nothing further is required to be done in the petition. The petition is accordingly disposed of. Rule is discharged with no order as to costs.

It is clarified that in case of difficulty, it would be open for the petitioners to file a simple Note for the purpose of reviving this petition.

11th October, 2001 (P.B. Majmudar, J.)

(apj)